

# New Mexico Department of Game and Fish

## *POLICY*

### Seizure and Handling of Evidence

RM-408  
(Rev. 03/14/2012)

---

#### **Authority**

§17-2-19 through 17-2-23 NMSA 1978

#### **Purpose**

This policy directs seizure of evidence by department officers acting within the scope of their authority.

#### **Policy**

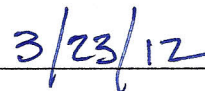
All officers shall comply with constitutional and statutory requirements in the seizure of property. Personal property shall be retained in custody if it is needed for investigation or prosecution purposes. All officers shall submit physical evidence to be maintained in locked storage by a department evidence custodian except during forensic or other evaluations or examinations, and court proceedings. Digital evidence created or gathered by department officers may be downloaded and saved, or delivered, to a Department or other law enforcement computer or file; all other evidence will be maintained in a government facility, to include a department vehicle as necessary.

Once the case is concluded, personal property that is not voluntarily surrendered or forfeited to the state shall be returned to the owner or their designee who is willing to take the property or be disposed of in accordance with applicable statutes.

This policy was approved and implemented by:



James S. Lane, Jr., Director



Date